



# State of Utah

## DEPARTMENT OF INSURANCE

**D. Kent Michie**  
Commissioner

**Jon M. Huntsman, Jr.**  
Governor

**Gary R. Herbert**  
Lieutenant Governor

State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone: (801) 538-3800  
Facsimile: (801) 538-3829  
[www.insurance.utah.gov](http://www.insurance.utah.gov)

July 13, 2006

Office of Lt. Governor  
Ms. Fran Fish, Director  
Notary Public Authentication

Re: Insurance Licensure of a Notary Who Notarizes Title and Escrow Settlement Documents

Dear Ms. Fish:

In the past, the Utah Insurance Department has required a notary who notarizes title and escrow settlement documents to be licensed as a title escrow producer. The Title and Escrow Commission reviewed this practice and determined that the process of obtaining signatures, and the notarization of those signatures, on those title escrow settlement documents was not part of the duties included in the scope of the title escrow producer license.

Effective immediately, if a notary is only obtaining signatures, and notarizing those signatures on title and escrow settlement documents, there is no requirement for the notary to be licensed as a title escrow producer. Obtaining and notarizing title and escrow settlement documents may not include explaining the content or purpose of a document being signed or the handling of any escrow settlement monies, or any other duties performed by a title escrow producer.

If a notary is asked to do anything other than obtain and notarize signatures on title and escrow settlement documents, a title escrow producer license will be required.

Sincerely,

Darrel G. Powell, CPCU  
Director, Market Conduct Division